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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91217630
Party	Defendant Hansen, Gary, St. Martin
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Date	02/27/2016
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of U.S. Trademark Application

Serial No. 86112261

Mark: It's a Black Hills Thing, you wouldn't understand 'till you been here !

Filed : November 6, 2013

Published April 1, 2014

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Sturgis Motorcycle Rally, Inc.,)	
)	
Opposer,))	
)	Opposition No. 91217630
vs)	
)	
)	
Gary St. Martin Hansen,)	
)	
Applicant.)	
-----)	

ANSWER TO OPPOSERS MOTION TO SUSPEND FOR APPLICANT TO RETAIN
COUNSEL.

I received this motion to suspend by email the following day from Charles Landrum III.
Pursuant to TBMP § 510.03(a), Opposer, Sturgis Motorcycle Rally, Inc., moves to
suspend this proceeding due to Applicant's professed intent to retain counsel and due
to his refusal to sit for a trial examination. On Monday, February 22, 2016, Counsel
for Opposer conferred via phone with Applicant and reached agreement to take
Applicant's position in
Johnson, Vermont on Monday, February 29, 2016. Then, on Tuesday, February 23,
2016,

Applicant contacted counsel for Opposer, cancelling the deposition and informing counsel that Applicant intends to retain counsel. In light of Applicant's professed intent to retain counsel,

good cause exists for the Board to suspend the proceedings pursuant to TBMP § 510.03(a)

No,1 Applicant was not asked for permission to Suspend Application.

No.2 Applicant was NOT informed that Opposer was going to call for a conference on Monday February 23, 2016 at any time, or any date. Thus, Applicant was NOT to prepared to make a decision concerning this conference call.,

No.3 The proposal by Opposers , Jason Sneed, and Charles Landrum III, was that the applicant terminate his application for trademark , and that would be the only settlement that they would except.. the Applicant's response was " that is NEVER GOING TO HAPPEN ! " Jason Sneed then said, " I don't want to be cocky Gary, but you are going to lose this case because you have no counsel, and this is a RICH MAN'S GAME , "

No,4 As usual, as is evident by the Applicant's previous filings to the USPTO, the Applicant, trying to be as cooperative as possible in the hopes that a settlement could be reached with the Applicant being allowed to have his trademark confirmed, and, on the spur, of the moment, thought that this would aid in that effort, UNTIL Jason Sneed said that the Applicant "would lose because of the difficulty for the Applicant to file the briefs necessary in the trial, without counsel.

No.5 Thus, within 5 minutes the Applicant called Jason Sneed back, getting his voice mail left a message that he would not be accepting this appointment in Burlington, Vt. to be deposed, and that he would be seeking counsel. Then I received this motion to suspend. in an email on the 23 of February.

No.6 The Applicant asked Jason Sneed what the state of their Opposition to John Paul DeJoria a bonafied Billionaire, and Applicant to the trademark, Legendary Sturgis. I was told by Gina Iacona that his Mark is under a motion to Suspend pending Civil Action.

Then the Applicant asked why Full Throttle Saloon, with their Mark,

FULL THROTTLE SALOON THE #1 DESTINATION & ATTRACTION IN STURGIS SOUTH DAKOTA

was allowed to be published and not the Applicant's, or John Paul DeJoria's, his answer was, " We didn't notice that one, we'll have to look into it."

The Applicant responded " I believe this is because Full Throttle Saloon has a cable network show called " Full Throttle Saloon " and they are in Sturgis ! Jason Sneed said, " let me ask you one question, what does " It's a Black Hills Thing, you wouldn't understand 'till you been here," mean if not Sturgis ? " I responded " IT MEANS ALL OF THE BLACK HILLS, where I have lived, and played music , had children and family, where some of my closest friends live, and died, like the legendary Single Jim Fredrickson, Jack DeCory, and all the musician's I have played with in concert, like Kenny Miller, Gary Mule Deer, Bruce Williams, Terry Ree, Dale Kinzler, Dane Kinzler,

Derek Kinzler, Dennis Kinzler, Bill Dawg Moore, and many more all mentioned in my book, titled and set for publication this summer, “It’s a Black Hills Thing, you wouldn’t understand ‘till you been here,”

“Legendary Musicians of the Black Hills “

and in addition, Jason, the book does not mention Sturgis in relationship to the Sturgis Run, nor have I ever owned or rode a motorcycle since I fell off once when I was 16 . ‘ The ONLY thing I’ve ever mentioned about the Sturgis Run, is my song,

“It’s a Black Hills Thing, you wouldn’t understand ‘till you been here,” then I was told, quit your TRADEMARK, and “we’ll let you sell your music and your book” ... I said, “ what about the Rushmore Photo, Walmart lawsuit, as I spoken with the attorney Aaron Davis, who represented them in that law suit against these Black Hills merchants, Jason replies, “ Oh, we won that case , Rushmore Photo, will pay in damages approximately \$375,000 and Walmart \$650,000. I said, “because of the word Sturgis? “ Then I called Aaron Davis. he said, he, “was shocked at the jury’s decision. I said, these Black Hills are my Black Hills, and all of our Black Hills ...” Thus the Applicant /defendant cancelled the deposition with Charles Landrum III to fly from North Carolina, to Burlington, Vermont to depose me five minutes later , The next day I received the same motion to suspend that John Paul DeJoria received. Billionaire, to musicain, to Black Hills merchants alike, Thus, I deplore the Board of Trial and Appeals to

find in favor of the Applicant, and let the Applicant's Trademark.

“ It's a Black Hills Thing, you wouldn't understand 'till you been here,”

go forth for publication so the Applicant can protect the cliché

“ It's a Black Hills Thing ! “ you wouldn't understand 'till you been here,”

and not find that Jerry Berkowitz and Hot Leather has put it on their

Sturgis tee shirts for next year.

Respectfully Submitted


Gary St. Martin Hansen

Pro Se Representation

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Dated: February 26, 2016

CERTIFICATE of FILING

The undersigned certifies that this correspondence is being filed via electronics means by
Filing with the Electronic System for Trademark Trial and Appeals.

Dated February 26 ,2016



Gary St. Martin Hansen

CERTIFICATE of SERVICE

The Undersigned counsel of record hereby certifies that a copy of the foregoing
Answer to Motion to Suspend was served by placing a copy in US Mail, postage, prepaid
this 25th day of February ,2016 and addressed to the following:

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